

Message Text

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ACTION L-02

INFO OCT-01 EUR-12 ISO-00 SS-15 NSC-05 CPR-01 CIAE-00

INR-07 NSAE-00 RSC-01 SCA-01 SCS-03 SY-04 /052 W

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R 291745Z JAN 75

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 7743

INFO AMEMBASSY BERLIN

AMEMBASSY PARIS

AMEMBASSY BONN

AMEMBASSY VIENNA

USMISSION BERLIN

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 01390

E.O. 11652: XGDS-1

TAGS: PFOR, GE

SUBJECT: US-GDR CONSULAR NEGOTIATIONS

REF: LONDON 830 (NOTAL), STATE 12391 (NOTAL)

1. IN FOLLOW-UP CONVERSATION, TWO EMBOFFS CONSULTED AGAIN WITH DIXON, HEAD OF NATIONALITY AND TREATY DEPARTMENT, WHO HAD ASKED RODNEY BATSTONE TO PARTICIPATE IN DISCUSSION. EMBASSY HAD PREVIOUSLY PROVIDED FCO WITH EXCERPTED VERSION STATE 12391.

2. DIXON AND BATSTONE AGREED THAT STATE'S POSITION WAS WHAT THEY HAD EXPECTED IT TO BE AND THEY BELIEVE US NEGOTIATING EFFORTS WOULD PARALLEL THEIR OWN. THEY WERE FAMILIAR WITH US-CZECH CONVENTION AND HOW IT HAD AVOIDED NATIONALITY ISSUE. THERE WAS, THEY INSISTED, NO POSSIBILITY THAT GDR WOULD ADOPT DIFFERENT POSITION ON THE NATIONALITY QUESTION IN TALKS WITH US FOR THAT SEEMED TO BE PRIMARY PURPOSE GDR HAD IN SEEKING CONVENTION. DIXON ASKED SPECIFICALLY IF GDR HAD TAKEN INITIATIVE WITH US IN SEEKING CONVENTION. UK HAD NOT PARTICULARLY WANTED CONVENTION. UK NOW EXPECTS CONCLUDE CONVENTION WITH NEXT
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ROUND OF TALKS TO BE HELD IN EAST BERLIN IN SPRING SOME-

TIME, THOUGH NO DATE HAD YET BEEN SET. AT TIME NOVEMBER TALKS CONCLUDED, UK HAD TOLD GDR IT EXPECTED TO HAVE NEW ROUND BY END OF JANUARY.

3. NATIONALITY QUESTION HAD ARISEN IN AUSTRIAN-GDR CONVENTION AND FCO HAD TALKED WITH THE AUSTRIANS HERE. UK FELT THAT AUSTRIA HAD GIVEN IN TO GDR PRESSURE ON THIS POINT TOO QUICKLY WITHOUT RESERVATION AND FRG CONCERN WAS UNDERSTANDABLE. FCO BELIEVES, HOWEVER, THAT AUSTRIAN-GDR CONVENTION HAS BEEN INITIALLED AND NOT YET SIGNED OFFICIALLY OR RATIFIED. NATIONALITY AND CITIZENSHIP QUESTIONS ARE, OF COURSE, OF GREAT INTEREST IN AUSTRIA, GIVEN HER PREVIOUS EXPERIENCE WITH THIS PROBLEM IN NAZI TIMES.

4. AT THE SAME TIME, UK APPRECIATES THE STRONG LINE FRG HAS BEEN TAKING. UK NEGOTIATORS HAVE TOLD GDR TEAM THAT NOTHING IN THE GDR-UK CONVENTION CAN BE IN CONFLICT WITH ITS PRIOR CONVENTION WITH THE FRG. UK HAS MOREOVER MADE IT QUITE CLEAR, PROBABLY WITHOUT STATING IT EXPLICITLY, THAT UK IS CONSULTING FRG IN DETAIL.

5. DIXON WAS NOT VERY SPECIFIC IN ANSWERING EMBOFF'S QUESTION AS TO PRESENT STATUS. UK HAS TOLD GDR IT WILL ACCEPT GDR FORMULATION ON NATIONALITY DEFINITION "UNDER GDR LAW," BUT ALSO WARNED GDR THAT IT WILL EXCHANGE NOTES WITH FRG AT SAME TIME REAFFIRMING UK ADHERENCE TO UK-FRG CONVENTION AND DEFINITION OF NATIONALITY THEREIN. UK TOLD GDR THAT, WHILE IT DOES NOT EXPECT TO PUBLISH EXCHANGE OF NOTES, THE CONTENTS WILL LIKELY BE MADE PUBLIC, I.E., BY FRG. HE BELIEVES FRG HAS AGREED TO UK PROPOSAL FOR EXCHANGE OF NOTES.

6. AS FAR AS PRACTICAL APPLICATION OF THE TWO CONVENTIONS IS CONCERNED, UK WILL PROBABLY LAY HEAVIEST WEIGHT ON EXPRESSED WISHES OF THE INDIVIDUAL. IF A "GERMAN" WHO FALLS AFOUL OF BRITISH LAW WISHES TO SEEK CONTACT WITH FRG AUTHORITIES, BRITISH WILL INFORM AND CONSULT FRG EMBASSY EXCLUSIVELY REGARDLESS OF THE TRAVEL DOCUMENT THE INDIVIDUAL HAS, OR HIS APPARENT CITIZENSHIP BASED ON CONFIDENTIAL

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OTHER EVIDENCE. IF A "GERMAN" SEEKS THE SAME KIND OF CONTACT WITH THE GDR EMBASSY, THE UK WILL FOLLOW THE SAME PROCEDURE. THERE HAS BEEN, TO DATE, ONLY ONE INSTANCE; THE "GERMAN" CONCERNED EXPRESSED A WISH NOT TO HAVE EITHER THE FRG OR THE GDR INFORMED, AND THE UK SUPPORTED HIS PREFERENCE.

7. FCO BELIEVES FRG WILL ULTIMATELY HAVE TO AMEND ITS

PRESENT RESISTANCE TO THE IDEA OF A SEPARATE EAST GERMAN NATIONALITY. THIS WILL LIKELY BE AN EVOLUTIONARY PROCESS OVER A LONG PERIOD OF TIME SINCE AT PRESENT THE FRG IS

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C O N F I D E N T I A L SECTION 02 OF 02 LONDON 01390

STILL TOO CLOSE TO EARLIER EXPRESSIONS OF THE DESIRE FOR REUNIFICATION FOR AN ABRUPT TRANSFORMATION; IT IS OBVIOUS THAT THE LONGER THE GDR CONTINUES AS A SEPARATE ENTITY, THE MORE LIKELY A GRADUAL CHANGE IN THE FRG POSITION. UNTIL THAT COMES, THE FCO BELIEVES THE UK CAN LIVE WITH BOTH CONVENTIONS AND THE EXCHANGE OF NOTES WITH THE FRG.

8. AT THE SAME TIME, DIXON INDICATED THAT UK REMAINS STRONGLY CONVINCED OF ITS OBLIGATIONS UNDER QA. UK VALUES ITS RELATIONSHIP WITH FRG AND WILL CONTINUE TO FOLLOW POLICY OF CLOSE CONSULTATION WITH FRG. UK HAS NOT TRIED TO MAKE A SECRET OF THIS.

9. DIXON EXPRESSED A HOPE THAT THE US WILL FOLLOW A COURSE CLOSE TO THAT OF THE BRITISH. HE EXPRESSED AN INTEREST AGAIN IN SEEING A COPY OF THE GDR DRAFT AND A WILLINGNESS TO OFFER DETAILED COMMENTS ON IT. BOTH HE AND BATSTONE WOULD BE GLAD TO CONSULT WITH GROVE BEFORE

THE NEGOTIATIONS BEGIN AND WOULD BE GRATEFUL FOR A BRIEF-
ING ON THE INITIAL ROUND WHEN COMPLETED. WITH REFERENCE
TO THE CAMPAIGN AGAINST FRG ACTIVITIES ON THIRD COUNTRY
RELATIONS, HE PRODUCED A COPY OF A PRESS RELEASE FROM
THE LONDON GDR EMBASSY, COPIES OF WHICH BEING FORWARDED
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BERLIN, BONN, AND DEPARTMENT.

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